

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

CHRISTIAN EMPLOYERS ALLIANCE,

Plaintiffs,

v.

EMPLOYMENT EQUAL OPPORTUNITY
COMMISSION, *et al.*,

Defendants.

Case No. 1:21-CV-00195

**DEFENDANTS' CONSENT MOTION FOR LEAVE TO EXCEED PAGE
LIMITATIONS**

Defendants respectfully request that the Court allow the submission of a fifty-five (55) page response to Plaintiff's motion for a preliminary injunction (ECF No. 6), which would exceed the page limitations imposed by the Local Rules by thirty-five pages. *See* LR 7.1(B). Plaintiff consents to Defendants' motion. Defendants submit that good cause exists to grant their motion for the following reasons:

1. This action raises numerous statutory and constitutional claims regarding how two federal agencies—the Equal Employment Opportunity Commission and the Department of Health and Human Services—interpret and enforce their respective anti-discrimination laws. ECF No. 1.

2. Plaintiff filed a motion for a preliminary injunction on October 21, 2021, asking this Court to issue broad injunctive relief against both EEOC and HHS. *See* ECF No. 6. Plaintiff's motion raises the same complex statutory and constitutional claims as its complaint, and further raises significant questions about the scope of this Court's subject-matter jurisdiction. *Id.*

3. Plaintiff previously sought, and received, the Court's leave for its preliminary injunction motion to exceed to the page limitations set out in Local Rule 7.1(B) by 27 pages. *See* ECF Nos. 4, 5. Plaintiff's preliminary injunction motion is 47 pages in length.

4. Under Local Rule 7.1(B), Defendants are entitled to file a response to Plaintiff's preliminary injunction motion that is no more than 20 pages in length.

5. In view of the number and complexity of the issues raised by Plaintiff's complaint and preliminary injunction motion, Defendants require additional pages to order to fully address each issue raised. Defendants therefore seek leave to file a response that is comparable in length to Plaintiff's preliminary injunction motion.

6. Defendant has contacted Plaintiff's counsel about this motion and Plaintiff consents to the motion.

Dated: November 18, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

On November 18, 2021, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court of North Dakota, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Christopher D. Dodge

Christopher D. Dodge

Trial Attorney

United States Department of Justice